

LAW OFFICE OF
ZACHARY MARGULIS-OHNUMA

July 16, 2020

Via ECF

Hon. Ronnie Abrams
U.S. District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

RE: Jane Stone #1, et al. v. Annucci, et al., 20-cv-1326
[rel. 16-cv-1473].

Dear Judge Abrams:

This office represents Plaintiffs, Jane Stone #1-6, in the above captioned action. I write jointly on behalf of both parties to respectfully request an adjournment of the Initial Status Conference, currently scheduled for July 24, 2020 and to request additional time for the parties to submit their joint letter and proposed case management plan pursuant to the Court's April 27, 2020 Order. See ECF No. 17.

There are several reasons for this adjournment request. First, Plaintiffs filed an amended complaint on July 13, 2020, which added two new defendants and a new plaintiff to the instant action. Plaintiffs will need additional time to locate and serve the new defendants. Similarly, defendants will also need additional time to conduct a representational analysis of the newly added defendants pursuant to Public Officers Law § 17.

Second, the additional allegations in the amended complaint will need to be investigated by New York State Department of Corrections and Community Supervision's ("DOCCS") Office of Special Investigations ("OSI"). OSI has been contacted regarding an estimated timeline for completing these investigations but has not yet provided one to the parties.

Lastly, the COVID-19 pandemic is continuing in DOCCS facilities, which are over-worked and under-staffed. The reduction in staff has inevitably slowed DOCCS' and OSI's ability to investigate and gather documents as necessary to prepare the submission requested by the Court and to

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meaningfully engage in the initial status conference with Plaintiffs.

In addition, the Office of the Attorney General respectfully requests that the time for the already-served defendants to respond to the Amended Complaint be adjourned until September 25, 2020, which will allow plaintiffs time to serve the newly identified defendants and for OSI to complete its investigations into the named defendants, which will impact on the Attorney General's representational analysis as to which of the defendants it can represent.

Given the newly filed amended complaint and the other foregoing reasons, the parties respectfully request that the conference and accompanying submissions, as well as the already-served defendants' answers be adjourned to September 25, 2020 or some time thereafter convenient to the Court.

Thank you for your attention to this case.

Very truly yours,

Victoria Nicole Medley

Victoria Nicole Medley

CC: All Counsel (via ECF)

Application granted. Defendants' time to respond to the complaint is extended to September 25, 2020. The initial status conference on July 24, 2020 is adjourned to October 2, 2020 at 10:00 a.m. The parties' joint status letter and proposed case management plan is due no later than September 25, 2020.

SO ORDERED.



Ronnie Abrams, U.S.D.J.

July 17, 2020